IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

TUESDAY, THE TWENTY FOURTH DAY OF AUGUST TWO THOUSAND AND FOUR

: PRESENT :

THE HON'BLE MR.JUSTICE : T.CH. SURYA RAO

CRIMINAL PETITION No.3726 of 2004

Between:

1.Boppudi Sriram Murthy
2.Nayudu Koteswar Rao. .. Petitioners/Accused 1 & 2

And

State of A.P. through S.H.O. Chilakaluripet Rural P.S.
Rep. by its Public Prosecutor, High Court of A.P. Hyderabad.
.. Respondent/Complainant

Petition under Section 437 & 439 of Crl.P.C. praying that in the circumstances stated in the affidavit filed herein, the High Court will be pleased to enlarge the petitioners on Bail in Crime No.77/2004 of P.S. Chilakaluripet Rural, Guntur District.

The Petition coming on for hearing, upon perusing the petition and the grounds filed herein and upon hearing the arguments of Mr.V. Manohar Rao, Advocate for the Petitioners and of the Public Prosecutor, on behalf of the Respondent.

The Court made the following ORDER :

"The petitioners who are A1 and A2, seek bail in connection with the crime registered against them under Section 302 of the Indian Penal Code.

Investigation in this case has been completed and charge sheet has also been filed. These petitioners have been in judicial custody from 13-07-2004 onwards. A perusal of the remand report under which these two petitioners were produced before the Court shows no specific allegations against these two petitioners attracting the offence punishable under Section 302 of the Indian Penal Code. However, in the charge sheet filed on 06-08-04 by the Investigating Officer, it is alleged that A2 who was sitting as a pillion rider on the Motor Cycle beat the deceased with a stick. No such overt act has been mentioned against the first petitioner. The record shows that the petitioners were in the mob consisting of 100 to 200 people which come to clash with the followers of the Congress Party on the eve of the congress legislative party leader taking the procession as a road show. Having regard to these circumstances, the request of the petitioners for bail may be considered.

In the result the criminal petition is allowed and the petitioners shall be enlarged on bail in each one of them executing a bond for Rs.5,000/-(Rupees five thousand) with two sureties for a like sum each to the satisfaction of the Judicial Magistrate First Class, Chilkaluripeta."

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1.The Sessions Judge, Guntur.
2.The Judicial Magistrate First Class, Chilkaluripeta.
3.The Officer-in-Charge, Sub-Jail, Narasaraopet.
4.Two CCs to the Public Prosecutor, High Court of A.P. Hyderabad.(OUT)
5.Two CCs to Mr.V. Manohar Rao, Advocate, High Court of A.P. Hyderabad.(OUT)
6.One spare copy.

H.A.

DRAFTED BY : H.A.
COMPARED BY :

HIGH COURT

TCSRJ

DT: 24-08-2004

ORDER :

CRL.P.NO.3726/04

DIRECTION TO ENLARGE THE PETITIONERS ON BAIL.